

JUN 20 2008

PTO/SB/84 (01-08)

Approved for use through 08/30/2008, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
84.238

First named inventor: David Stamper et al.

Application No.: 10/826,789

Art Unit: 1797

Filed: 04/16/2004

Examiner: Shanta Doe

Title: Operationally Enhanced Bioreactor

Attention: Office of Petitions
Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
 Other than small entity - fee \$ 1540.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a response to an election requirement (identify type of reply):

- has been filed previously on _____
 is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____
 has been paid previously on _____
 is enclosed herewith.

[Page 1 of 2]
 This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/23/2008 HMAR211 00000005 500958 10826769
 01 FC:1453 1540.00 DA

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

06/20/2008

Date

Dave A. Ghatt

Typed or printed name

50,928

Registration Number, if applicable

Naval Surface Warfare Center, Carderock Division

Address

301 227-1835

Telephone Number

9500 MacArthur Blvd, West Bethesda MD 20817-5700

Address

- Enclosures: Fee Payment (Fee Authorization --1 pg)
 Reply (Response to Election Requirement--6 pgs)
 Terminal Disclaimer Form
 Additional sheets containing statements establishing unintentional delay (1 pg)
 Other: Transmission Verification Report (1 pg)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
 Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

6/20/2008

Date



Signature

Dave Ghatt

Typed or printed name of person signing certificate

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**OFFICE OF COUNSEL (CODE 004)
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION
9500 MACARTHUR BOULEVARD
WEST BETHESDA, MARYLAND 20817-5700**

JUN 20 2008



Appln. No. : 10/826,789
 Applicant : David M. Stamper
 Filed : April 16, 2004
 TC/A.U. : 1797

CONFIRMATION NO. 1324

Mail Stop Petitions
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Fee Authorization

In response to the Notice of Abandonment mailed June 13, 2008, Applicant hereby respectfully petitions for revival (as outlined in the attached PTO/SB/64 form) of the above-identified application.

Applicant hereby authorizes the U.S. Patent and Trademark Office to charge to Deposit Account No. 50-0958 the fee in the amount of \$ 1540.00 for the instant Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b). If additional fees are required, the Office is authorized to charge said additional fees to Applicant's Deposit Account.

Date: 6/20/2008

Dave Ghatt
 Reg. No. 50,926

Customer No. 38092
 Office of Counsel (Patents)
 Naval Surface Warfare Center Carderock Division
 9500 MacArthur Blvd.
 West Bethesda, MD 20817-5700

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JUN 20 2008



OFFICE OF COUNSEL (CODE 004)
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION
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WEST BETHESDA, MARYLAND 20817-5700



Appln. No. : 10/826,789
Applicant : David M. Stamper
Filed : April 16, 2004
TC/A.U. : 1797

CONFIRMATION NO. 1324

Mail Stop Petitions
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Establishing Unintentional Delay:

In response to the Notice of Abandonment mailed June 13, 2008, Applicant hereby respectfully petitions for revival (as outlined in the attached PTO/SB/64 form) of the above-identified application as follows:

The abandonment was unintentional. Applicant attempted to file a response to the Election Requirement on December 14, 2007, but Applicant unintentionally entered an invalid fax number to transmit the response. As a result, the USPTO never received Applicant's response, and the application was abandoned. See Attached Sheet showing a copy of said *Transmission Verification Report*.

Date: 06/20/2008

Dave Ghatt
Reg. No. 50,926

Customer No. 38092
Office of Counsel (Patents)
Naval Surface Warfare Center Carderock Division
9500 MacArthur Blvd.
West Bethesda, MD 20817-5700

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TRANSMISSION VERIFICATION REPORT

TIME : 12/14/2007 13:29
NAME : OFFICE OF COUNSEL
FAX : 3012271968
TEL : 3012273566
SER. #: BROK6J554427

DATE, TIME	12/14 13:29
FAX NO./NAME	9995712738300
DURATION	00: 00: 00
PAGE(S)	00
RESULT	BUSY
MODE	STANDARD

BUSY: BUSY/NO RESPONSE

ATTACHMENT

ATTACHMENT